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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEABED AUTHORITY AND
FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA

PROVISIONAL REPORT OF SPECIAL COMMISSION 4

(DRAFT REPORT OF THE PREPARATORY COMMISSION UNDER PARAGRAPH 10 OF RESOLUTION I CONTAINING RECOMMENDATIONS FOR SUBMISSION TO THE MEETING OF STATES PARTIES TO BE CONVENED IN ACCORDANCE WITH ANNEX VI, ARTICLE 4, OF THE CONVENTION REGARDING PRACTICAL ARRANGEMENTS FOR THE ESTABLISHMENT OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA)

Introductory note

1. Pursuant to resolution I, the Preparatory Commission shall remain in existence until the conclusion of the first session of the Assembly of the Authority. The Preparatory Commission decided on the matters to be dealt with by the Plenary and the Special Commissions as allocated,* and Special Commission 4 was allocated the preparation of recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea.** Having delegated this function to Special Commission 4, the Preparatory Commission reserved to the Plenary the presentation of its report through its Chairman on the arrangements for the establishment of the International Tribunal for the Law of the Sea to the Meeting of States Parties convened for the purpose.*** Consequently, and as decided by Special Commission 4, the present report is provisional. It is the product of the deliberations and decisions of Special Commission 4 in carrying out its mandate. It reflects the results achieved so far and makes reference to issues which remain pending. While reflecting the results, the report should in no way be interpreted as precluding the further consideration of the pending issues.

2. The present provisional report and the addenda, upon their review and approval, will constitute the Report of the Preparatory Commission under paragraph 10 of resolution I of the Third United Nations Conference on the Law of the Sea, to be presented to the Meeting of States Parties. The component reports and final working papers which reflect the results of the work of Special Commission 4, whether formulated by it or at its request, listed as addenda would be an integral part thereof.

3. Following the issuance of the draft outline for the report (LOS/PCN/SCN.4/WP.14), the Preparatory Commission at its tenth-session summer meeting in New York invited participating States to submit their comments on the draft provisional reports of the four Special Commissions and the informal Plenary. The draft report presented as LOS/PCN/SCN.4/WP.15 was formulated pursuant to that decision and took into account the comments received with respect to LOS/PCN/SCN.4/WP.14. The present provisional report of Special Commission 4 takes account of the deliberations and decisions of the Special Commission at the eleventh session on the basis of draft report LOS/PCN/SCN.4/WP.15. In reviewing the draft report, the Special Commission, inter alia, noted that some issues were pending.

4. Pending issues on which no agreement was reached are:

(a) Whether there should be one or two or six official working languages of the Tribunal, and consequently what treatment would be accorded to the other languages;

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* LOS/PCN/3, para. 2.

** LOS/PCN/27, annex I, para. 1 (d).

*** LOS/PCN/27, annex I, sect. II (e).

(b) How the scheme for phasing in the Tribunal should be applied.

5. As regards the question of languages, the resolution of the issue would require consequential review and determination regarding the Final Draft Rules of the International Tribunal for the Law of the Sea (Addendum 1); the Final working paper on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea (Addendum 6); and the Report with proposals concerning the initial financing and budget of the International Tribunal for the Law of the Sea (Addendum 7). Similarly, the manner of application of a scheme for phasing in of the Tribunal would require consequential review and determinations regarding the Final Draft Rules of the Tribunal (Addendum 1); and the Report with proposals concerning the initial financing and budget of the International Tribunal for the Law of the Sea (Addendum 7).

6. A separate list of attachments in the present provisional report (see annex II) identifies the relevant core documentation of the Special Commission and of the Preparatory Commission which are considered essential to providing a faithful record of the work of the Special Commission, its deliberation and its conclusions and decisions which led to the preparation and presentation of the draft report.

7. When the Plenary, at the eleventh session, took up the draft report on the arrangements for the establishment of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.15) for consideration, it was noted that, as in the case of the draft provisional report of the Plenary (document LOS/PCN/WP.52), there was inadequate time to consider the addenda to the report at the session. Consequently it was decided that delegates would be allowed to transmit their comments on the addenda and that the comments received from delegations would be attached to the reports as annexes thereto.

CONTENTS

	Page
INTRODUCTION	6
CHAPTER I. JUDICIAL PROCEDURE	7
Section 1. Recommendations concerning the draft Rules of the Tribunal	7
Section 2. Composition of the Tribunal and its chambers	8
Section 3. Official working languages	8
Section 4. Harmonization of jurisprudence	8
Section 5. Internal judicial practice	9
Section 6. Access by States not parties to the Convention	9
CHAPTER II. INTERNATIONAL AGREEMENTS	9
Section 1. Recommendations concerning the draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany	9
Section 2. Recommendations concerning the draft Protocol on the Privileges and Immunities of the Tribunal	10
CHAPTER III. RELATIONSHIP ARRANGEMENTS	11
Section 1. Recommendations concerning relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea	11
Section 2. Use of the United Nations laissez-passer by the Tribunal	12
Section 3. Relationship arrangement between the International Tribunal for the Law of the Sea and the International Seabed Authority	12
Section 4. Supplementary arrangements between the International Tribunal for the Law of the Sea and the International Court of Justice	13

CONTENTS (continued)

	Page
CHAPTER IV. ADMINISTRATIVE ARRANGEMENTS	13
Section 1. Recommendations concerning administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea and Recommendations concerning the scheme for the initial phasing-in of the establishment of the International Tribunal for the Law of the Sea	13
Section 2. Draft financial rules and staff regulations	14
Section 3. Initial financing and budget of the International Tribunal for the Law of the Sea	14
CHAPTER V. THE PERMANENT HEADQUARTERS OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA	15
Section 1. Recommendations concerning the location and site for the headquarters of the International Tribunal for the Law of the Sea	15
Section 2. Recommendations concerning the building requirements and facilities of the International Tribunal for the Law of the Sea provided by the host country	15
Section 3. Recommendations concerning the requirements and facilities necessary to supplement those provided by the host country	17
CHAPTER VI. FIRST MEETING OF STATES PARTIES	17
Section 1. Provisional agenda and rules of procedure for the Meeting of States Parties	17
Section 2. Election of the members of the Tribunal	18

Annexes

I. List of addenda	19
II. List of attachments	21

INTRODUCTION

1. The present report reflects the work of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea in making practical arrangements for the establishment of the International Tribunal for the Law of the Sea. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea, which contains the Statute of the Tribunal in annex VI thereto. Resolution I adopted with the Convention by the Third United Nations Conference on the Law of the Sea established the Preparatory Commission and mandated it, inter alia, to prepare a report containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea for submission to the Meeting of States Parties to be convened in accordance with the Statute of the Tribunal. 1/ The Preparatory Commission established at its first session, besides its Plenary and the General Committee, four Special Commissions. Special Commission 4 was charged with the preparation of the report containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea. 2/ The Preparatory Commission elected Dr. Gunter Goerner (German Democratic Republic) as Chairman of Special Commission 4 and he served from the first session in 1983 to the eighth session in 1990. 3/ On 25 February 1991, the Preparatory Commission elected Mr. Anton Bouteiko (Ukraine) to replace him. Colombia, Greece, Philippines and Sudan were elected as Vice-Chairmen of the Special Commission, constituting, with its Chairman, the Bureau.
Dr. Theodore Chalkiopoulos (Greece), Vice-Chairman, acted as Chairman in the absence of the Chairman at the seventh session of the Preparatory Commission held at Kingston, 4/ at the eighth session held in New York 5/ and at the tenth session in Kingston and in New York. 6/

1/ Annex VI, article 4.

2/ See resolution I, para. 10; and LOS/PCN/27, annex.

3/ He served until the accession of the German Democratic Republic to the Federal Republic of Germany.

4/ The seventh session was held at Kingston, Jamaica, from 27 February 1989 to 23 March 1989.

5/ The resumed eighth session was held in New York from 13 to 31 August 1990.

6/ The tenth session was held at Kingston, Jamaica, from 24 February 1992 to 13 March 1992 and the summer meeting from 10 to 21 August 1992 in New York.

2. The Special Commission adopted its provisional agenda contained in SCN.4/1984/CRP.1 and Rev.1. 7/ Its mandate was initially elaborated in SCN.4/WP.1. When considering its work programme the Commission first decided to take up the items listed in paragraph 3 of SCN.4/WP.1, with the addition of Relationship Agreements as referred to in part II of that working paper. The Commission also expressed the need to prepare rules for the Meeting of States Parties and recommendations for the election of members of the Tribunal. It did not consider it appropriate to prepare a comprehensive list of issues and items for its programme of work since additional items might be considered necessary as work progressed. For each session of the Preparatory Commission, the requirements for the programme of work were further elaborated as necessary and priorities established by the Special Commission on the recommendation of its Bureau and the initiative of its Chairman. The method of work was also established and the Commission dealt with the items under its work programme on that basis.

3. The Special Commission prepared the draft outline for the report of the Preparatory Commission containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea (SCN.4/WP.14) which was the basis for its consideration of the recommendations of the Preparatory Commission to the Meeting of States Parties. Taking into account the comments received from participating States on the draft outline contained in SCN.4/WP.14, the draft report of the Preparatory Commission under paragraph 10 of resolution I containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea as contained herein was considered by the Special Commission. With the adoption by the Preparatory Commission of the present draft report, the final stage in the establishment of the International Tribunal for the Law of the Sea has been commenced with the preparation for the first Meeting of States Parties to the Convention prior to the inauguration of the Tribunal.

CHAPTER I. JUDICIAL PROCEDURE

Section 1. Recommendations concerning the draft Rules of the Tribunal

For the purpose of preparing for the International Tribunal to perform its judicial functions at the earliest possible time after entry into force of the Convention, it is desirable that the Meeting of States Parties facilitates the adoption of the rules of the Tribunal.

Therefore

THE PREPARATORY COMMISSION recommends that:

7/ References to documents of Special Commission 4 are abbreviated throughout this paper for convenience. It should be noted that they all require the prefix LOS/PCN for complete reference purposes. The documents of Special Commission 4 referred to herein are attached hereto and are more fully identified in the list of attachments.

the final draft Rules of the Tribunal formulated by the Commission and its Special Commission 4, addendum 1 hereto, should provide the basis for the determination by the Tribunal of its rules of procedure.

The Special Commission first considered the requirements for the procedural rules of the Tribunal and examined the items listed in SCN.4/WP.1. Account was taken of SCN.4/1984/CRP.2-5 in this connection. Thereafter, the draft Rules of the Tribunal (SCN.4/WP.2); and the supplement to the draft Rules of the Tribunal - on the Prompt Release of Vessels and Crews (SCN.4/WP.2/Add.1): working papers prepared by the Secretariat, were examined by the Special Commission, taking into account the table of concurrence of the draft Rules of the Tribunal (SCN.4/WP.3) and the draft texts proposed for specific provisions (SCN.4/1985/CRP.6, SCN.4/1985/CRP.7-10 and 12-14, SCN.4/1986/CRP.15-18) as reflected in the Chairman's summaries of discussions (SCN.4/L.2 and Add.1 and Add.1/Corr.1, L.3 and Add.1, L.4 and Add.1, L.5 and Add.1).

Thereafter the Special Commission considered the revision of the draft Rules of the Tribunal (SCN.4/WP.2/Rev.1, Parts I and II) prepared by the Secretariat, taking into account the draft texts proposed for specific provisions (SCN.4/1986/CRP.20, SCN.4/1987/CRP.22, SCN.4/1988/23 and Rev.1, 25, 28-30, SCN.4/1989/32 and 37), as reflected in the Chairman's summaries of discussions (SCN.4/L.7 and Add.1, L.9/Add.1, L.10 and Add.1 and Add.1/Corr.1). The Special Commission decided (LOS/PCN/L.53, para. 9) that the Secretariat would formulate the Final Draft Rules of the Tribunal, addendum 1 hereto.

Section 2. Composition of the Tribunal and its chambers

In connection with the equitable geographical distribution and the representation of the principal legal systems in the composition of the Tribunal and its chambers, the Special Commission expressed the view that firm and detailed rules should not be established by the Preparatory Commission. The deliberations of the Special Commission in this connection are reflected in chapter VI, section 2, below.

Section 3. Official working languages

The Special Commission exchanged views on the official languages and those in which its pleadings and judgments would be issued as reflected in the Chairman's summary of discussions (SCN.4/L.14, pp. 10 and 11); Chairman's Statement to the Plenary (LOS/PCN/L.86, paras. 6-8); and proposals submitted by delegations (SCN.4/WP.12 and 13). Chapter IV, section 1, below also deals with this question. No agreement was reached among delegations regarding the official working languages of the Tribunal.

Section 4. Harmonization of jurisprudence

The need to provide a means to achieve harmonization of the jurisprudence of the Tribunal and its chambers was considered. A proposal was made as to how this can be achieved and the deliberations of the Preparatory Commission are reflected in the Chairman's summary of discussions (SCN.4/L.3, paras. 99-100).

Section 5. Internal judicial practice

The draft Rules of the Tribunal recognize the requirement for a resolution to be formulated by the Tribunal on its internal judicial practice in a manner consistent with the practice of the International Court of Justice. The deliberations of the Special Commission in this connection are reflected in the Chairman's summary of discussions (SCN.4/L.7, paras. 27-30).

Section 6. Access by States not parties to the Convention

The terms for access to the Tribunal by States not parties to the Convention would, as necessary, be elaborated by the Tribunal in accordance with annex VI taking into account, where appropriate, the practice of the International Court of Justice regarding the participation of States Parties to the Statute of the Court which are not States Members of the United Nations, as provided in General Assembly resolution 91 (I) of 11 December 1946.

CHAPTER II. INTERNATIONAL AGREEMENTS

Section 1. Recommendations concerning the draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany

For the purpose of preparing for the International Tribunal to function at the seat of the Tribunal in Germany, it is desirable that the Meeting of States Parties facilitates the Tribunal and the host country entering into a headquarters agreement.

Therefore

THE PREPARATORY COMMISSION recommends that:

> the final draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany, formulated by the Commission and its Special Commission 4, addendum 2 hereto, should provide the basis for negotiating and entering into such an agreement.

The Special Commission first discussed the requirements for a headquarters agreement (SCN.4/WP.1, para. 7). It also discussed the question of privileges, immunities and facilities in relation to the Tribunal and its work. These discussions took into account the items listed in SCN.4/WP.1, paras. 3 and 5 to 7. Account was also taken of SCN.4/WP.4, which identifies issues for consideration, and also SCN.4/1985/CRP.8 and 9. The summary of this review is contained in the Chairman's summary of discussions (SCN.4/L.9). Thereafter, a draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (SCN.4/WP.5, Parts I and II) was prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.47) and deliberated on, as reflected in the Chairman's summary of discussions (SCN.4/L.11 and Add.1).

A revised draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (SCN.4/WP.5/Rev.1 and Corr.1) prepared by the Secretariat, taking into account the deliberations in the Special Commission, the draft texts proposed for specific provisions and the suggestions of a drafting nature, and providing compromise texts on issues where agreement was not reached, was considered and approved by the Special Commission in accordance with its deliberations. 8/

The Special Commission decided that the Secretariat would formulate the final draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany, addendum 2 hereto, on the basis of the decision of the Special Commission (LOS/PCN/L.101, para 4; SCN.4/1992/CRP.45) and harmonized to the extent possible with the final draft revised Protocol on the Privileges and Immunities of the Tribunal. 9/

Section 2. Recommendations concerning the draft Protocol on the Privileges and Immunities of the Tribunal

For the purpose of providing the requisite privileges and immunities for the effective functioning of the International Tribunal, it is desirable that the Meeting of States Parties adopts an international protocol that may be adhered to by all States.

Therefore

THE PREPARATORY COMMISSION recommends that:

> the final draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea, formulated by the Commission and its Special Commission 4, addendum 3 hereto, should provide the basis for negotiating and entering into such a protocol.

The Commission discussed the question of privileges, immunities and facilities in relation to the Tribunal and its work, taking into account the items listed in SCN.4/WP.1, paragraphs 3 and 5 to 7. Account was also taken of SCN.4/WP.4, which identified issues for consideration, and also SCN.4/1985/CRP.8 and 9. The summary of this review is contained in the Chairman's summary of discussions (SCN.4/L.9).

Thereafter, a draft Protocol on the Privileges and Immunities of the International Tribunal (SCN.4/WP.6) was prepared by the Secretariat at the request of the Commission (LOS/PCN/L.53, para. 19 (c)). This working paper was reviewed article by article by the Special Commission, as reflected in the Chairman's summary of discussions (SCN.4/L.13 and Add.1).

8/ Reflected in the Chairman's summary of discussions (to be issued).

9/ See the requirement recorded in paragraph 38 of the Final Act of the Third United Nations Conference on the Law of the Sea (A/CONF.62/121).

Subsequently, a revised draft Protocol on the Privileges and Immunities of the International Tribunal (SCN.4/WP.6/Rev.1 and Corr.1 and 2) prepared by the Secretariat, taking into account the deliberations in the Special Commission, the draft texts proposed for specific provisions (SCN.4/1988/CRP.24, 26 and 27; SCN.4/1989/CRP.31 and 33-35), and the suggestions of a drafting nature, and providing compromise texts on issues where agreement was not reached (LOS/PCN/L.91, para. 10), was considered and formulated by the Special Commission in accordance with its deliberations. 10/

CHAPTER III. RELATIONSHIP ARRANGEMENTS

Section 1. Recommendations concerning relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea

In order to enable the International Tribunal and the United Nations to have and develop a relationship of effective cooperation, thereby facilitating the objectives of the Tribunal and the United Nations, it is desirable that the Meeting of States Parties facilitates the Tribunal and the United Nations entering into a relationship agreement.

Therefore

THE PREPARATORY COMMISSION recommends that:

> the final draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea, formulated by the Commission and its Special Commission 4, addendum 4 hereto, should provide the basis for negotiating and entering into such an agreement.

The Commission first discussed the issues (SCN.4/WP.1, paras. 8-12). The relevant issues contained in the working paper titled "Issues concerning relationship agreements between the International Tribunal for the Law of the Sea and other international organizations" (SCN.4/WP.7), prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.61, para. 19 (c)), were first discussed, taking into account the issues listed in SCN.4/1989/CRP.36.

The draft relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea (SCN.4/WP.9 and Add.1), prepared by the Secretariat pursuant to the request of the Special Commission (LOS/PCN/L.76, para. 12 (b)), was reviewed by the Special Commission, as reflected in the Chairman's summary of discussions (SCN.4/L.15). The final draft Relationship Agreement between the United Nations and the International Tribunal for the Law of the Sea was formulated by the Secretariat, addendum 4 hereto, on the basis of the decision of the Special Commission (LOS/PCN/L.107)

10/ Reflected in the Chairman's summary of discussions (to be issued).

with due consideration for the views expressed in the Commission regarding the need for maximum economy in establishing the Tribunal and its functioning while maintaining the highest possible level of efficiency (LOS/PCN/L.86, para. 5).

Section 2. Use of the United Nations laissez-passer by the Tribunal

The use of the United Nations laissez-passer by the Tribunal and its officials was considered by the Special Commission in its deliberations, as reflected in the Chairman's summary of discussions (SCN.4/L.11/Add.1). 11/

Section 3. Relationship arrangement between the International Tribunal for the Law of the Sea and the International Seabed Authority

For the purpose of addressing the role of the Tribunal in relation to the activities of the International Seabed Authority, it is desirable that an appropriate relationship arrangement be entered into between them.

Therefore

THE PREPARATORY COMMISSION submits:

a report on the deliberations and suggestions of the Special Commission concerning the principles governing relationship arrangements between the International Tribunal and the International Seabed Authority, prepared by the Secretariat, addendum 5 hereto.

The Commission first discussed the issues (SCN.4/WP.1, paras. 8-12). The relevant issues contained in the working paper titled "Issues concerning relationship agreements between the International Tribunal for the Law of the Sea and other international organizations" (SCN.4/WP.7), prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.61, para. 19 (c)), were first discussed, taking into account the issues listed in SCN.4/1989/CRP.36.

The working paper on principles governing relationship arrangements between the International Tribunal and the International Seabed Authority (SCN.4/WP.10), prepared by the Secretariat was reviewed by the Special Commission. 12/

11/ Further discussions reflected in the Chairman's summary of discussions (to be issued).

12/ The deliberations and suggestions of the Special Commission are reflected in the Chairman's summary of discussions (to be issued).

Section 4. Supplementary arrangements between the International Tribunal for the Law of the Sea and the International Court of Justice

Supplementary arrangements between the Tribunal and the International Court of Justice were not formulated by the Special Commission. Consequent upon the communication from the Registrar of the International Court of Justice, the Special Commission decided that it would not be appropriate for it to consider such relationship arrangements.

CHAPTER IV. ADMINISTRATIVE ARRANGEMENTS

Section 1. Recommendations concerning administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea

and

Recommendations concerning the scheme for the initial phasing-in of the establishment of the International Tribunal for the Law of the Sea

The degree to which the Tribunal can fulfil its purposes will be determined by its institutional structure, the effectiveness of its administration, including budgetary and personnel matters, and the efficiency of its services.

Therefore

THE PREPARATORY COMMISSION recommends that:

> the final working paper on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea, prepared by the Secretariat, addendum 6 hereto, should provide the basis for the deliberations and determination of the Meeting of States Parties.

The working paper titled "Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea (SCN.4/WP.8), prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.76, para. 12 (a)), was based on the organizational structure of the Tribunal as set out in the Convention and taking into account the structure of existing international tribunals and courts and their experiences based on the use of two working languages, with the pleadings and judgments to be issued in all six working languages of the United Nations after completion of each application, case or advisory opinion. The addendum, "Supplementary cost estimates reflecting alternatives as to one or six official working languages" (SCN.4/WP.8/Add.1 and Corr.1), and the further addendum, "Scheme to phase in the establishment of the International Tribunal for the Law of the Sea" (SCN.4/WP.8/Add.2 and Corr.1), were also prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.76, para. 12 (a)). While no conclusions were reached, the deliberations of the Special Commission were

reflected in the Chairman's summary of discussions (SCN.4/L.14 and LOS/PCN/L.81, paras. 5-9). 13/

The Special Commission decided to formulate for the Meeting of States Parties the final draft working paper on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea, addendum 6 hereto, on the basis of the decision of the Special Commission (LOS/PCN/L.91, para. 8), containing relevant elements relating to the scheme for phasing in the establishment of the Tribunal and the alternative schemes concerning the implications of the number of official languages and working languages.

As regards the languages of the Tribunal, the Commission conducted an exchange of views, as reflected in the Chairman's statement to the plenary (LOS/PCN/L.86, paras. 6-8), and informal consultations were conducted among delegations on this question. Subsequently, proposals were submitted by the delegation of Cuba on behalf of the Group of Latin American and Caribbean Countries (SCN.4/WP.12) and by the delegations of Austria, Belgium, Canada, Côte d'Ivoire, Czechoslovakia, France, Greece, India, Poland, Senegal, Switzerland and Tunisia (SCN.4/WP.13 and Corr.1). No agreement was reached among delegations regarding the official working languages of the Tribunal.

Section 2. Draft financial rules and staff regulations

As regards the principles to govern the financial rules of the Tribunal and its staff regulations, it was the understanding of the Special Commission that the Secretariat would prepare the requisite documentation to be submitted to the Meeting of States Parties for its consideration (LOS/PCN/L.81, paras. 15-17).

Section 3. Initial financing and budget of the International Tribunal for the Law of the Sea

For the early functioning of the Tribunal and in order to ensure the requisite financing, it is desirable that the Meeting of States Parties determines an appropriate arrangement.

Therefore

THE PREPARATORY COMMISSION submits:

a report with proposals concerning the initial financing and budget of the International Tribunal for the Law of the Sea prepared by the Secretariat, addendum 7 hereto, for the deliberations and determination of the Meeting of States Parties.

13/ The further deliberations of the Special Commission are reflected in the Chairman's summary of discussions (to be issued).

The working paper (SCN.4/WP.11) prepared by the Secretariat at the request of the Special Commission (LOS/PCN/L.91) was based on existing precedents and experiences in establishing international organizations. The Commission reviewed the working paper. 11/ The Special Commission decided to formulate a report with proposals concerning the initial financing and budget of the International Tribunal for the Law of the Sea, addendum 7 hereto, based on the deliberations of the Special Commission and containing relevant elements relating to the scheme for phasing in the Tribunal, as decided by the Special Commission (LOS/PCN/L.107).

CHAPTER V. THE PERMANENT HEADQUARTERS OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

Section 1. Recommendations concerning the location and site for the headquarters of the International Tribunal for the Law of the Sea

For the purpose of preparing for the International Tribunal for the Law of the Sea to establish its permanent headquarters at the site offered by the host country, in an appropriate environment, it is desirable that the Meeting of States Parties endorses the arrangements for the same.

Therefore

THE PREPARATORY COMMISSION, having taken note that:

the host country, Germany, has notified the Commission that the location of the permanent headquarters of the Tribunal would be at the site offered in the Free and Hanseatic City of Hamburg, situated in the Nienstedten suburb of Hamburg-Altona (more fully described in SCN.4/L.8), conveys the same to the Meeting of States Parties.

Section 2. Recommendations concerning the building requirements and facilities of the International Tribunal for the Law of the Sea provided by the host country

For the purpose of preparing for the permanent headquarters of the International Tribunal for the Law of the Sea with the necessary facilities provided by the host country for the most effective discharge of the functions of the Tribunal, it is desirable that the Meeting of States Parties takes note of the appropriate arrangements for the same.

Therefore

THE PREPARATORY COMMISSION recommends that:

the Meeting of States Parties takes note of the planning and arrangements made in this connection by the host country, including the specifications provided in SCN.4/L.16 and Add.1.

The Preparatory Commission and Special Commission 4 had received reports from the host country on the designation of the site in Hamburg and the progress made in evaluating requirements and planning for the building and equipment needs of the Tribunal, including indications as to site, building, equipment and facilities being provided to the Tribunal by the host country. The relevant documents and reports reviewed and taken note of in this connection are:

(a) Preliminary information on the establishment of facilities for international courts and tribunals (SCN.4/1986/CRP.19, dated 8 April 1986);

(b) Brief progress report on the preparations for the housing of the International Tribunal for the Law of the Sea in Hamburg - submitted by the delegation of the Federal Republic of Germany (SCN.4/L.6, dated 2 September 1986);

(c) Letter dated 9 February 1987 from the Chairman of the delegation of the Federal Republic of Germany addressed to the Special Representative of the Secretary-General for the Law of the Sea (LOS/PCN/80, dated 12 March 1987);

(d) Second report on practical arrangements for the installation of the International Tribunal for the Law of the Sea at Hamburg - submitted by the delegation of the Federal Republic of Germany (SCN.4/L.8, dated 13 March 1987);

(e) Report of the Chairman on the visit by the Bureau of Special Commission 4 and officials of the United Nations Secretariat to the Federal Republic of Germany, 24-28 August 1987 (SCN.4/L.12, dated 21 March 1988);

(f) Letter dated 15 March 1989 from the Chairman of the delegation of the Federal Republic of Germany addressed to the Special Representative of the Secretary-General for the Law of the Sea (LOS/PCN/106, dated 17 March 1989);

(g) Report on the progress of work dated 13 March 1991 concerning building requirements and facilities for the International Tribunal for the Law of the Sea in Hamburg - Statement of the Parliamentary State-Secretary H.E. Mr. Rainer Funke, Ministry of Justice of the Federal Republic of Germany (SCN.4/1991/CRP.40, dated 15 March 1991);

(h) Report of the delegation of the Federal Republic of Germany on the building requirements and facilities for the International Tribunal for the Law of the Sea in Hamburg (SCN.4/L.16, dated 9 March 1992).

While these reports and the information provided do not contain precise descriptions as to furniture and equipment, the objective of the host country is to hand over a building in a state that is ready for use. This would include the equipment for heating, lighting, telephones, telefax, interpreters' booths, sanitary and electronic installations and ventilation equipment for special rooms. Storage, filing and cloakroom facilities in the relevant offices and basic furniture such as desks, filing equipment, trolleys, reception tables, soft furnishings, chairs, furniture for sittings and meeting rooms, archive and library shelving and equipment for the restaurant area are contemplated as coming within the furnished facility to be provided. It would not include such items as typewriters, copy machines and reading lights as well as special furniture, e.g., safes and private furnishings for the Caretaker's flat.

Section 3. Recommendations concerning the requirements and facilities necessary to supplement those provided by the host country

For the purpose of preparing for the permanent headquarters of the International Tribunal for the Law of the Sea with the necessary facilities in addition to those provided by the host country, it is desirable that the Meeting of States Parties makes appropriate arrangements for the same.

Therefore

THE PREPARATORY COMMISSION recommends that:

> the Meeting of States Parties, in addition to taking note of the planning and arrangements made in this connection by the host country, evaluates the needs and determines the necessary arrangements to supplement those provided by the host country.

The Preparatory Commission and Special Commission 4 received reports from the host country specifying the progress made in evaluating requirements and planning for the building and providing for the equipment needs of the Tribunal, including facilities and furnishings to be provided by it. The relevant documents and reports taken note of in this connection are identified in section 2 above. The Meeting of States Parties would have to evaluate such items of furniture and equipment to be provided by the host country as referred to therein as well as the office and data-processing equipment and other operational accessories that would need to be provided for.

CHAPTER VI. FIRST MEETING OF STATES PARTIES

Section 1. Provisional agenda and rules of procedure for the Meeting of States Parties

For the purpose of constituting the International Tribunal early to perform its central role in the settlement of disputes relating to the law of the sea following the entry into force of the Convention, it is desirable that the relevant decisions for the functioning of the Meeting of States Parties be taken and that it proceeds with the election of the members of the Tribunal.

Therefore

THE PREPARATORY COMMISSION submits:

1. The provisional agenda for the Meeting of States Parties prepared by the Secretariat, addendum 8 hereto;

2. The provisional rules of procedure for the Meeting of States Parties prepared by the Secretariat, 14/ addendum 9 hereto. It is understood that the provisional rules may be adopted for the conduct of its business and that they would be examined in due course with a view to the adoption of permanent rules of procedure for subsequent Meetings of States Parties.

Section 2. Election of the members of the Tribunal

In view of the requirement of the Convention that the first election of the members of the Tribunal shall be held within six months of the date of entry into force of this Convention, it is essential that the election should take place during the first Meeting of States Parties. The Secretary-General of the United Nations whose function it is, under article 4 of the Statute of the Tribunal, would issue the invitations to States Parties for the nomination of candidates for election as members of the Tribunal at least three months before the date of election, would prepare a list of all persons thus nominated to be submitted to States Parties within the time prescribed and would communicate the same to the Meeting of States Parties.

In connection with the geographical distribution and the representation of the principal legal systems among the members of the Tribunal in its composition and in the composition of its chambers, the Preparatory Commission expressed the view that firm and detailed rules should not be established by it. However, the principles to be applied in making such determinations would be needed. The Preparatory Commission considered it useful for relevant proposals and recommendations to be made for consideration by the Meeting of States Parties 15/ and the Secretariat was, therefore, requested to draw up a comparative table illustrating the alternatives for distribution of the six additional seats after fulfilling the minimum geographical representation requirement.

Therefore

THE PREPARATORY COMMISSION submits for consideration:

a comparative table illustrating alternatives for the distribution of the six additional seats among members of the Tribunal after fulfilling the minimum geographic representation requirement, prepared by the Secretariat, addendum 10 hereto.

14/ The Chairman's Statement to the plenary (LOS/PCN/L.81, paras. 16 and 17).

15/ Refer SCN.4/L.1.

Annex I

LIST OF ADDENDA

1. Final draft Rules of the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the revised draft Rules of the Tribunal (SCN.4/WP.2/Rev.1, Parts I and II) on the basis of the conclusions of the Special Commission).

2. Final draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (prepared by the Secretariat as a revision of the revised draft Headquarters Agreement (SCN.4/WP.5/Rev.1) on the basis of the conclusions of the Special Commission).

3. Final draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the revised draft Protocol on the Privileges and Immunities of the International Tribunal (SCN.4/WP.6/Rev.1) on the basis of the conclusions of the Special Commission).

4. Final draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea (SCN.4/WP.9) on the basis of the conclusions of the Special Commission).

5. Report on principles governing relationship arrangements between the International Tribunal for the Law of the Sea and the International Seabed Authority (prepared by the Secretariat taking into account the consideration of SCN.4/WP.10 - Principles governing a relationship arrangement between the International Tribunal for the Law of the Sea and the International Seabed Authority) on the basis of the deliberations of the Special Commission.

6. Final working paper on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea (prepared by the Secretariat on the basis of the deliberations and conclusions of the Special Commission based on SCN.4/WP.8 and Add.1 and 2).

7. Report with recommendations concerning the initial financing and budget of the International Tribunal for the Law of the Sea (prepared by the Secretariat on the basis of the deliberations and conclusions of the Special Commission in reviewing SCN.4/WP.11 - Issues concerning the initial financing and budget of the International Tribunal for the Law of the Sea).

8. Provisional agenda for the First Meeting of States Parties to the Convention, convened in accordance with annex VI, article 4, of the Convention (prepared by the Secretariat).

9. Provisional rules of procedure for the Meeting of States Parties convened in accordance with annex VI, article 4, of the Convention (prepared by the Secretariat).

10. Comparative review of alternatives for distribution of seats among members of the Tribunal (prepared by the Secretariat).

Annex II

LIST OF ATTACHMENTS

DOCUMENTS OF SPECIAL COMMISSION 4

Working papers

LOS/PCN/SCN.4/WP.1	Practical arrangements for the establishment of the International Tribunal for the Law of the Sea. Working paper by the Secretariat [16 March 1984]
LOS/PCN/SCN.4/WP.2	International Tribunal for the Law of the Sea Draft Rules of the Tribunal. Prepared by the Secretariat [27 July 1984]
LOS/PCN/SCN.4/WP.2*	International Tribunal for the Law of the Sea Draft Rules of the Tribunal. Prepared by the Secretariat [28 March 1985]
LOS/PCN/SCN.4/WP.2/Add.1	International Tribunal for the Law of the Sea Supplement to the draft Rules of the Tribunal. Addendum Prepared by the Secretariat [25 March 1985]
LOS/PCN/SCN.4/WP.2/Add.1/ Corr.1 (Russian only)	Corrigendum [7 April 1986]
LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)	International Tribunal for the Law of the Sea. Draft Rules of the Tribunal. Part I. Articles 1 to 93. Prepared by the Secretariat [30 June 1986]
LOS/PCN/SCN.4/WP.2/Rev.1 (Part II)	International Tribunal for the Law of the Sea. Draft Rules of the Tribunal. Part II. Articles 94 to 140. Prepared by the Secretariat [24 March 1987]
LOS/PCN/SCN.4/WP.3	International Tribunal for the Law of the Sea Table of concurrence of the draft Rules of the Tribunal. Prepared by the Secretariat [18 March 1985]
LOS/PCN/SCN.4/WP.4	Headquarters Agreement and related instruments on Privileges and Immunities. (Issues for consideration) [2 September 1986]

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* Reissued for technical reasons (Russian only).

LOS/PCN/SCN.4/WP.5 (Part I)	Draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany. Prepared by the Secretariat	[4 August 1987]
LOS/PCN/SCN.4/WP.5 (Part II)	Draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany. Part II (Articles 17-28) Prepared by the Secretariat	[26 February 1988]
LOS/PCN/SCN.4/WP.5/Rev.1	Revised draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany. Prepared by the Secretariat	[8 August 1988]
LOS/PCN/SCN.4/WP.5/ Rev.1/Corr.1	Corrigendum	[29 August 1988]
LOS/PCN/SCN.4/WP.6	Draft Convention/Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea. Prepared by the Secretariat	[23 March 1988]
LOS/PCN/SCN.4/WP.6/Rev.1	Revised draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea. Prepared by the Secretariat	[25 February 1991]
LOS/PCN/SCN.4/WP.6/Rev.1/ Corr.1 (English only)	Corrigendum	[27 February 1991]
LOS/PCN/SCN.4/WP.6/Rev.1/ Corr.2 (A/C/E/R/S only)	Corrigendum	[12 March 1991]
LOS/PCN/SCN.4/WP.6/Rev.1/ Corr.3 (Chinese only)	Corrigendum	[12 March 1991]
LOS/PCN/SCN.4/WP.6/Rev.1/ Corr.4 (French only)	Corrigendum	[18 March 1991]
LOS/PCN/SCN.4/WP.7	Issues concerning relationship agreements between the International Tribunal for the Law of the Sea and other international organizations. Working paper by the Secretariat	[20 March 1989]
LOS/PCN/SCN.4/WP.8	Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Prepared by the Secretariat	[27 February 1990]

LOS/PCN/SCN.4/WP.8/Add.1	Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Addendum. (Supplementary cost estimates reflecting alternatives as to official working languages) Prepared by the Secretariat [28 March 1990]
LOS/PCN/SCN.4/WP.8/Add.1*	Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Addendum. (Supplementary cost estimates reflecting alternatives as to official working languages) (Prepared by the Secretariat) [17 August 1990]
LOS/PCN/SCN.4/WP.8/Add.1/ Corr.1 (English only)	Corrigendum [28 September 1990]
LOS/PCN/SCN.4/WP.8/Add.2	Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Addendum. (A scheme to phase in the establishment of the International Tribunal for the Law of the Sea) (Prepared by the Secretariat) [29 August 1990]
LOS/PCN/SCN.4/WP.8/Add.2/ Corr.1	Corrigendum [14 March 1991]
LOS/PCN/SCN.4/WP.9	Relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea. (Draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea). Prepared by the Secretariat [16 March 1990]
LOS/PCN/SCN.4/WP.9/Add.1	Relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea. Addendum. (Arrangements regarding the United Nations common system of salaries and benefits, and participation in the United Nations Joint Staff Pension Fund). Prepared by the Secretariat [16 March 1990]
LOS/PCN/SCN.4/WP.10	Principles governing a relationship arrangement between the International Tribunal for the Law of the Sea and the International Seabed Authority (Prepared by the Secretariat) [10 August 1990]

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* Reissued for technical reasons.

LOS/PCN/SCN.4/WP.11	Issues concerning the initial financing and budget of the International Tribunal for the Law of the Sea (Prepared by the Secretariat) [1 August 1991]
LOS/PCN/SCN.4/WP.12	Suggestions of the Latin American and Caribbean Group regarding languages of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.2/Rev.1; LOS/PCN/SCN.4/WP.8 and Add.1 and 2) [13 August 1992]
LOS/PCN/SCN.4/WP.13	Proposals submitted by Austria, Belgium, Canada, Côte d'Ivoire, France, Greece, India, Poland, Senegal and Switzerland concerning the languages of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.2/Rev.1; LOS/PCN/SCN.4/WP.8 and Add.1 and 2) [18 August 1992]
LOS/PCN/SCN.4/WP.13/Corr.1	Corrigendum [1 September 1992]
LOS/PCN/SCN.4/WP.14	Draft outline for report of the Preparatory Commission containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea [19 August 1992]
LOS/PCN/SCN.4/WP.15	Draft report of the Preparatory Commission under paragraph 10 of resolution I containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea [5 March 1993]
LOS/PCN/SCN.4/WP.15/Add.1*	Final draft Rules of the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the revised draft Rules of the Tribunal (LOS/PCN/SCN.4/WP.2/Rev.1, Parts I and II) on the basis of conclusions of the Special Commission) [Issued as LOS/PCN/SCN.4/WP.16.Add.1]
LOS/PCN/SCN.4/WP.15/Add.2	Final draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (prepared by the Secretariat as a revision of the revised draft Headquarters Agreement (LOS/PCN/SCN.4/WP.5/Rev.1) on the basis of the conclusions of the Special Commission) (LOS/PCN/SCN.4/WP.5/Rev.2) [5 March 1993]

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* These documents are issued as addenda to LOS/PCN/SCN.4/WP.16.

LOS/PCN/SCN.4/WP.15/Add.3 — Final draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the revised draft Protocol on the Privileges and Immunities of the International Tribunal (SCN.4/WP.6/Rev.1) on the basis of the conclusions of the Special Commission) (LOS/PCN/SCN.4/WP.6/Rev.2) [5 March 1993]

LOS/PCN/SCN.4/WP.15/Add.4* — Final draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea (prepared by the Secretariat as a revision of the draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea (SCN.4/WP.9) on the basis of the conclusions of the Special Commission) [Issued as LOS/PCN/SCN.4/WP.16/Add.4]

LOS/PCN/SCN.4/WP.15/Add.5* — Report on principles governing relationship arrangements between the International Tribunal for the Law of the Sea and the International Seabed Authority (prepared by the Secretariat taking into account the consideration of SCN.4/WP.10 - Principles governning a relationship arrangement between the International Tribunal for the Law of the Sea and the International Seabed Authority - on the basis of the deliberations of the Special Commission) [Issued as LOS/PCN/SCN.4/WP.16/Add.5]

LOS/PCN/SCN.4/WP.15/Add.6 — Final working paper on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea (prepared by the Secretariat on the basis of the deliberations and conclusions of the Special Commission based on SCN.4/WP.8 and Add.1 and 2) [13 April 1993]

LOS/PCN/SCN.4/WP.15/Add.7* — Report with recommendations concerning the initial financing and budget of the International Tribunal for the Law of the Sea (prepared by the Secretariat on the basis of the deliberations and conclusions of the Special Commission in reviewing SCN.4/WP.11 - Issues concerning the initial financing and budget of the International Tribunal for the Law of the Sea) [Issued as LOS/PCN/SCN.4/WP.16/Add.7]

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* These documents are issued as addenda to LOS/PCN/SCN.4/WP.16.

LOS/PCN/SCN.4/WP.15/Add.8*	Provisional agenda for the First Meeting of States Parties to the Convention, convened in accordance with annex VI, article 4, of the Convention (prepared by the Secretariat) [Issued as LOS/PCN/SCN.4/WP.16/Add.8]
LOS/PCN/SCN.4/WP.15/Add.9*	Provisional rules of procedure for the Meeting of States Parties convened in accordance with annex VI, article 4, of the Convention (prepared by the Secretariat) [Issued as LOS/PCN/SCN.4/WP.16/Add.9]
LOS/PCN/SCN.4/WP.15/Add.10*	Comparative review of alternatives for distribution of seats among members of the Tribunal (prepared by the Secretariat) [Issued as LOS/PCN/SCN.4/WP.16/Add.10]
LOS/PCN/SCN.4/L.1	Chairman's summing up of the discussions [10 July 1984]
LOS/PCN/SCN.4/L.2	Chairman's summary of discussions on parts I and II of the draft Rules of the Tribunal [4 September 1984]
LOS/PCN/SCN.4/L.2/Add.1	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea. Addendum. Part III. Proceedings in disputes. Sections A, B and C [29 January 1985]
LOS/PCN/SCN.4/L.2/Add.1/ Corr.1 (C/E/F/R only)	Corrigendum [11 February 1985]
LOS/PCN/SCN.4/L.3	Chairman's summary of further discussions on the draft Rules of the International Tribunal for the Law of the Sea [3 April 1985]
LOS/PCN/SCN.4/L.3/Add.1	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea. Addendum. Part III. Proceedings in disputes. Section D. Incidental proceedings [27 June 1985]
LOS/PCN/SCN.4/L.4	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea [3 September 1985]

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* These documents are issued as addenda to LOS/PCN/SCN.4/WP.16.

LOS/PCN/SCN.4/L.4/Add.1	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea. Addendum. Prompt release of vessels and crews (document LOS/PCN/SCN.4/WP.2/Add.1)	[24 February 1986]
LOS/PCN/SCN.4/L.5	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea	[9 April 1986]
LOS/PCN/SCN.4/L.5/Add.1	Chairman's summary of discussions on the draft Rules of the International Tribunal for the Law of the Sea. Addendum	[7 August 1986]
LOS/PCN/SCN.4/L.6	Brief progress report on the preparations for the housing of the International Tribunal for the Law of the Sea in Hamburg. Submitted by the delegation of the Federal Republic of Germany	[2 September 1986]
LOS/PCN/SCN.4/L.7	Chairman's summary of discussions on the revised draft Rules of the International Tribunal for the Law of the Sea	[4 September 1986]
LOS/PCN/SCN.4/L.7/Add.1	Chairman's summary of discussions on the revised draft Rules of the International Tribunal for the Law of the Sea. Addendum. Part IV. Proceedings in disputes	[31 March 1987]
LOS/PCN/SCN.4/L.8	Second report on practical arrangements for the installation of the International Tribunal for the Law of the Sea at Hamburg Submitted by the delegation of the Federal Republic of Germany	[13 March 1987]
LOS/PCN/SCN.4/L.9	Chairman's summary of discussions on the Headquarters Agreement and related instruments on privileges and immunities	[14 April 1987]
LOS/PCN/SCN.4/L.9/Add.1	Chairman's summary of discussions. Addendum. Revised draft Rules of the International Tribunal for the Law of the Sea	[20 August 1987]
LOS/PCN/SCN.4/L.10	Chairman's summary of discussions. Revised draft Rules of the International Tribunal for the Law of the Sea	[19 February 1988]
LOS/PCN/SCN.4/L.10/Add.1	Chairman's summary of discussions. Addendum. Revised draft Rules of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I))	[14 August 1989]
LOS/PCN/SCN.4/L.10/Add.1/ Corr.1	Corrigendum	[31 August 1989]

LOS/PCN/SCN.4/L.11	Chairman's summary of discussions. Draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany [3 March 1988]
LOS/PCN/SCN.4/L.11/Add.1	Chairman's summary of discussions. Addendum. Draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (LOS/PCN/SCN.4/WP.5 (Parts I and II)) [15 June 1988]
LOS/PCN/SCN.4/L.11/Add.2	Chairman's Summary of Discussions on Revised Draft Headquarters Agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany (LOS/PCN/SCN.4/WP.5/Rev.1 and Corr.1)
LOS/PCN/SCN.4/L.12	Report of the Chairman on the visit by the Bureau of Special Commission 4 and officials of the United Nations Secretariat to the Federal Republic of Germany (24-28 August 1987) [21 March 1988]
LOS/PCN/SCN.4/L.13	Chairman's summary of discussions. Draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea [18 January 1989]
LOS/PCN/SCN.4/L.13/Add.1	Chairman's summary of discussions. Addendum. [14 March 1990]
LOS/PCN/SCN.4/L.13/Add.2	Chairman's Summary of Discussions on Revised Draft Protocol on the Privileges and Immunities of the International Tribunal (LOS/PCN/SCN.4/WP.6/Rev.1 and Corr.1 and 2)
LOS/PCN/SCN.4/L.14	Chairman's summary of discussions. Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea [27 March 1990]
LOS/PCN/SCN.4/L.14/Add.1	Chairman's summary of discussions on administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.8); Addendum: Supplementary cost estimates reflecting alternatives as to official working languages (LOS/PCN/SCN.4/WP.8/Add.1 and Corr.1); further addendum: Scheme to phase in the establishment of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.8/Add.2 and Corr.1)

LOS/PCN/SCN.4/L.15	Chairman's summary of discussions. Relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea. Draft Agreement on Cooperation and Relationships between the United Nations and the International Tribunal for the Law of the Sea [20 February 1991]
LOS/PCN/SCN.4/L.16	Building requirements and facilities for the International Tribunal for the Law of the Sea in Hamburg (Report of the German delegation) [9 March 1992]
LOS/PCN/SCN.4/L.16/Add.1	Building requirements and facilities for the International Tribunal for the Law of the Sea in Hamburg (Submitted by the delegation of Germany) [17 August 1992]
LOS/PCN/SCN.4/L.17	Chairman's summary of discussions on the Principles governing relationship arrangements between the International Tribunal and the International Seabed Authority (LOS/PCN/SCN.4/WP.10)
LOS/PCN/SCN.4/L.18	Chairman's summary of discussions on the report with recommendations concerning the Initial Financing and Budget of the Tribunal (LOS/PCN/SCN.4/WP.11)
LOS/PCN/SCN.4/L.19	Chairman's summary of discussions on the Use of the United Nations Laissez-Passer by the Tribunal and its officials
LOS/PCN/SCN.4/L.20	Chairman's summary of discussions on the Draft Report of the Preparatory Commission under paragraph 10 of resolution I containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.15)

Conference room papers

LOS/PCN/SCN.4/1984/CRP.1/Rev.1	Agenda for Special Commission 4 [29 March 1984]
LOS/PCN/SCN.4/1984/CRP.2	Suggestions of the Bureau [27 March 1984]
LOS/PCN/SCN.4/1984/CRP.3	Extract from statement by the Chairman. The composition of the Tribunal and its chambers [28 March 1984]

LOS/PCN/SCN.4/1984/CRP.3/ Corr.1	Corrigendum	[30 March 1984]
LOS/PCN/SCN.4/1984/CRP.4	Statement by the Chairman. Access by entities other than States	[4 April 1984]
LOS/PCN/SCN.4/1984/CRP.5	Statement by the Chairman on the question of advisory opinions	[10 April 1984]
LOS/PCN/SCN.4/1985/CRP.6	Suggested redraft of article 62, paragraph 3, in document LOS/PCN/SCN.4/WP.2	[20 March 1985]
LOS/PCN/SCN.4/1985/CRP.7	Suggested redraft of article 79, paragraph 4, in document LOS/PCN/SCN.4/WP.2	[27 March 1985]
LOS/PCN/SCN.4/1985/CRP.8	Privileges and immunities of the Tribunal. Statement by the Special Representative of the Secretary-General for the Law of the Sea	[29 March 1985]
LOS/PCN/SCN.4/1985/CRP.9	Privileges and immunities of the Tribunal. Statement by the Chairman	[1 April 1985]
LOS/PCN/SCN.4/1985/CRP.10	Suggested redraft of article 84, paragraphs 2, 3, 4 (LOS/PCN/SCN.4/WP.2)	[2 April 1985]
LOS/PCN/SCN.4/1985/CRP.11	Explanatory statement by the Secretary on Supplement to the draft Rules of the Tribunal on the Prompt Release of Vessels and Crews (LOS/PCN/SCN.4/WP.2/Add.1)	[2 April 1985]
LOS/PCN/SCN.4/1985/CRP.12	Suggested redraft of article 98 in document LOS/PCN/SCN.4/WP.2 Prepared by the Secretariat	[29 August 1985]
LOS/PCN/SCN.4/1985/CRP.13	Suggested redraft of article 108 in document LOS/PCN/SCN.4/WP.2 Prepared by the Secretariat	[29 August 1985]
LOS/PCN/SCN.4/1985/CRP.14	Suggested redraft of articles 110-112 in document LOS/PCN/SCN.4/WP.2 Prepared by the Secretariat	[29 August 1985]
LOS/PCN/SCN.4/1986/CRP.15	Suggested redraft of articles 4 (1) and 9 (5) in document LOS/PCN/SCN.4/WP.2	[21 March 1986]
LOS/PCN/SCN.4/1986/CRP.16	Suggested redraft of article 129 (1) in document LOS/PCN/SCN.4/WP.2	[27 March 1986]
LOS/PCN/SCN.4/1986/CRP.17	Suggested redraft of preamble in document LOS/PCN/SCN.4/WP.2 Prepared by the Secretariat	[4 April 1986]

LOS/PCN/SCN.4/1986/CRP.18	Suggested redraft of articles 64 and 84 in document LOS/PCN/SCN.4/WP.2 Prepared by the Secretariat [4 April 1986]
LOS/PCN/SCN.4/1986/CRP.19	Preliminary information on the establishment of facilities for international courts or tribunals. Prepared by the Secretariat [8 April 1986]
LOS/PCN/SCN.4/1986/CRP.19/ Corr.1 (Chinese only)	Corrigendum [8 April 1986]
LOS/PCN/SCN.4/1986/CRP.20	Suggested redraft of article 1 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Prepared by the Secretariat [18 August 1986]
LOS/PCN/SCN.4/1986/CRP.21	Informal proposal by the Bureau [4 September 1986]
LOS/PCN/SCN.4/1987/CRP.22	Suggested redraft of articles 89 to 91 and 93 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Submitted by the delegation of the Union of Soviet Socialist Republics [5 August 1987]
LOS/PCN/SCN.4/1988/CRP.23	Informal suggested redraft of article 89, paragraph 4, in document LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Subsection 2. Prompt release of vessels and crews. Proposed by the Secretariat [31 March 1988]
LOS/PCN/SCN.4/1988/CRP.23/ Rev.1	Informal suggested redraft of article 89, paragraph 4 (document LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Subsection 2. Prompt release of vessels and crews. Proposed by the Secretariat [7 July 1988]
LOS/PCN/SCN.4/1988/CRP.24	Informal suggestion relating to the draft Convention/Protocol on Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6). Submitted by the delegation of the Federal Republic of Germany [31 March 1988]
LOS/PCN/SCN.4/1988/CRP.25	Suggested redraft of article 91 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Submitted by the delegations of Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland [19 August 1988]

LOS/PCN/SCN.4/1988/CRP.26	Informal suggested redraft of article 6 (LOS/PCN/SCN.4/WP.6). Submitted by the delegation of Australia	[19 August 1988]
LOS/PCN/SCN.4/1988/CRP.27	Informal suggested redraft of article 7 (LOS/PCN/SCN.4/WP.6). Submitted by the delegation of Switzerland	[22 August 1988]
LOS/PCN/SCN.4/1988/CRP.28	Suggested redraft of article 91 in document LOS/PCN/SCN.4/WP.2/Rev.1 (Part I) (Prepared by the Secretariat)	[26 August 1988]
LOS/PCN/SCN.4/1988/CRP.28/ Corr.1 (French only)	Corrigendum	[30 August 1988]
LOS/PCN/SCN.4/1988/CRP.29	Suggested redraft of article 93 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Submitted by the delegation of Greece on behalf of the delegations of Belgium, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland	[30 August 1988]
LOS/PCN/SCN.4/1988/CRP.30	Suggested redraft of article 91 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)) Submitted by the delegation of the United Republic of Tanzania on behalf of the Group of 77	[30 August 1988]
LOS/PCN/SCN.4/1989/CRP.31	Proposal submitted by France regarding the draft Convention/Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6)	[9 March 1989]
LOS/PCN/SCN.4/1989/CRP.32	Suggested redraft of article 93 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)). Submitted by the delegation of Japan	[14 March 1989]
LOS/PCN/SCN.4/1989/CRP.33	Suggested redraft of article 14 bis (LOS/PCN/SCN.4/WP.6). Submitted by the delegation of the Ukrainian Soviet Socialist Republic	[21 March 1989]
LOS/PCN/SCN.4/1989/CRP.34	Belgium: Proposals relating to the draft Convention on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6)	[16 August 1989]

LOS/PCN/SCN.4/1989/CRP.35	Suggested article 16 bis (LOS/PCN/SCN.4/WP.6). Submitted by the delegation of the Federal Republic of Germany [16 August 1989]
LOS/PCN/SCN.4/1989/CRP.36	Indicative list of issues specific to relationship agreements between the International Tribunal for the Law of the Sea and the United Nations, the International Seabed Authority, the International Court of Justice and specialized agencies of the United Nations with relevant competences. (Note by the Secretariat) [28 August 1989]
LOS/PCN/SCN.4/1989/CRP.37	Suggested redraft of article 90, paragraph 1, and article 93 (LOS/PCN/SCN.4/WP.2/Rev.1 (Part I)). Submitted by the delegation of the United Republic of Tanzania on behalf of the Group of 77; the delegation of France on behalf of the delegations of Belgium, Denmark, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the delegation of Japan; and the delegation of the Union of Soviet Socialist Republics [29 August 1989]
LOS/PCN/SCN.4/1990/CRP.38	Informal proposal of the Bureau. Organization of the future work of Special Commission 4 [23 March 1990]
LOS/PCN/SCN.4/1991/CRP.39	Status of work in Special Commission 4 [8 March 1991]
LOS/PCN/SCN.4/1991/CRP.40	Report on the progress of work dated 13 March 1991 concerning the building requirements and facilities for the International Tribunal for the Law of the Sea in Hamburg. Statement of the Parliamentary State-Secretary, H.E. Mr. Rainer Funke, Ministry of Justice of the Federal Republic of Germany [15 March 1991]
LOS/PCN/SCN.4/1991/CRP.41	Proposals submitted by Switzerland regarding the revised draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6/Rev.1) [16 August 1991]
LOS/PCN/SCN.4/1991/CRP.42	Proposals submitted by Switzerland concerning the revised draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6/Rev.1) [22 August 1991]

LOS/PCN/SCN.4/1991/CRP.43	Revised draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6/Rev.1) Redraft of pending articles (Submitted by the Secretariat)	[27 August 1991]
LOS/PCN/SCN.4/1991/CRP.44	Revised draft Protocol on the Privileges and Immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6/Rev.1) Redraft of article 12 (Submitted by the Secretariat)	[28 August 1991]
LOS/PCN/SCN.4/1992/CRP.45	Suggested redraft of article 32* in document LOS/PCN/SCN.4/WP.5/Rev.1 (Submitted by the Secretariat)	[6 March 1992]
LOS/PCN/SCN.4/1992/CRP.46	Proposed amendments to article 1 (d) and article 23 (1) of document LOS/PCN/SCN.4/WP.6/Rev.1 (Proposed by the delegation of Senegal)	[10 March 1992]
LOS/PCN/SCN.4/1993/CRP.47	Comments submitted by the European Community and its member States on the draft outline for report of the Preparatory Commission containing recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.14)	[1 February 1993]
LOS/PCN/SCN.4/1993/CRP.48	Suggested amendment to the draft provisional report of Special Commission 4 (LOS/PCN/SCN.4/WP.15) Submitted by the delegation of the Russian Federation	[2 April 1993]

Plenary documents of particular relevance to Special Commission 4

LOS/PCN/27	Suggestions by the Chairman adopted at the 5th plenary meeting of the Commission on 8 September 1983	[8 September 1983]
LOS/PCN/80	Letter dated 9 February 1987 from the Chairman of the delegation of the Federal Republic of Germany addressed to the Special Representative of the Secretary-General for the Law of the Sea	[12 March 1987]

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* To replace article 32, paras. 1 and 2.

LOS/PCN/106	Letter dated 15 March 1989 from the Chairman of the delegation of the Federal Republic of Germany addressed to the Special Representative of the Secretary-General for the Law of the Sea [17 March 1989]
LOS/PCN/L.4	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [12 April 1984]
LOS/PCN/L.12	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [4 September 1984]
LOS/PCN/L.17	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [2 April 1985]
LOS/PCN/L.24	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [3 September 1985]
LOS/PCN/L.24/Corr.1 (Arabic and English only)	Corrigendum [3 September 1985]
LOS/PCN/L.33	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [10 April 1986]
LOS/PCN/L.39	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [4 September 1986]
LOS/PCN/L.47	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [14 April 1987]
LOS/PCN/L.53	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [20 August 1987]
LOS/PCN/L.61	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [6 April 1988]
LOS/PCN/L.66	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission [31 August 1988]
LOS/PCN/L.71	Statement to the plenary by the Acting Chairman of Special Commission 4 on the progress of work in that Commission [21 March 1989]

LOS/PCN/L.71/Corr.1	Corrigendum	[10 May 1989]
LOS/PCN/L.76	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[31 August 1989]
LOS/PCN/L.81	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[29 March 1990]
LOS/PCN/L.86	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[30 August 1990]
LOS/PCN/L.91	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[21 March 1991]
LOS/PCN/L.96	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[29 August 1991]
LOS/PCN/L.101	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[11 March 1992]
LOS/PCN/L.103	Progress report of the Chairman of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea on the work of the Commission	[7 July 1992]
LOS/PCN/L.107	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[20 August 1992]
LOS/PCN/L.108	Statement by the Chairman of the Preparatory Commission	[20 August 1992]
LOS/PCN/L.112	Statement to the plenary by the Chairman of Special Commission 4 on the progress of work in that Commission	[31 March 1993]
LOS/PCN/L.113	Statement by the Chairman of the Preparatory Commission	[31 March 1993]
LOS/PCN/L.113/Corr.1	Corrigendum	[1 April 1993]